

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SUMMONS IN A CIVIL CASE

MIKE SHALES, JOHN BRYAN Sr., AL OROSZ,
DAN BREJC, TOBY KOTH and VERN
BAUMANN as Trustees of THE FOX VALLEY
LABORERS' HEALTH AND WELFARE FUND,

and

MIKE SHALES, JOHN BRYAN Sr., AL OROSZ,
TOBY KOTH, GORDON ANDERSON and DAN
BREJC as Trustees of THE FOX VALLEY
LABORERS' PENSION FUND,

Plaintiffs,

v.

BARTLETT SEWER & WATER, INC.,

Defendant.

Docket Number:

07 C 6837

Assigned Judge:

**JUDGE ZAGEL
MAGISTRATE JUDGE DENLOW**

Designated
Magistrate Judge:

TO: Bartlett Sewer & Water, Inc.
c/o Sharon Capasso, Registered Agent
722 Fairview Lane
Bartlett, IL 60103

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY (name and address)

LaKisha M. Kinsey-Sallis
Dowd, Bloch & Bennett
8 South Michigan Avenue, 19th Floor
Chicago, IL 60603

an answer to the complaint which is herewith served upon you, within **twenty (20)** days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

Date

Nadine Shirley

(By) DEPUTY CLERK

December 4, 2007

Date



Affidavit of Process Server

United States District Court, Northern District of Illinois, Eastern Division

(NAME OF COURT)

Mike Shales, et al.

vs Bartlett Sewer & Water, Inc.

07 C 6837

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE NUMBER

I, Robert Brady, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served Bartlett Sewer & Water, Inc. c/o its Registered Agent Sharon Capasso

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) Summons in a Civil Case and Complaint

by leaving with _____ At

NAME

RELATIONSHIP

☒ Residence 722 Fairview Lane, Bartlett, IL 60103

ADDRESS

CITY / STATE

☐ Business _____

ADDRESS

CITY / STATE

On _____ AT _____

DATE

TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on _____

DATE

from _____

CITY

STATE

ZIP

Manner of Service:

- ☐ **Personal:** By personally delivering copies to the person being served.
- ☐ **Substituted at Residence:** By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of _____ and explaining the general nature of the papers.
- ☐ **Substituted at Business:** By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.
- ☐ **Posting:** By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- ☐ **Unknown at Address** ☒ **Moved, Left no Forwarding** ☐ **Service Cancelled by Litigant** ☐ **Unable to Serve in Timely Fashion**
- ☐ **Address Does Not Exist** ☒ **Other** house is vacant _____

Service Attempts: Service was attempted on: (1) 12/12/07 3:35 pm (2) _____

DATE TIME DATE TIME

(3) _____ (4) _____ (5) _____

DATE TIME DATE TIME DATE TIME

Description: Age _____ Sex _____ Race _____ Height _____ Weight _____ Hair _____ Beard _____ Glasses _____

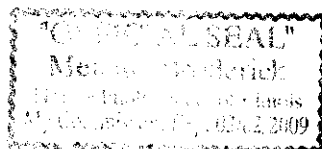
SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 17th day of DECEMBER, 2007

SIGNATURE OF NOTARY PUBLIC

ILLINOIS

NOTARY PUBLIC for the state of _____



9844

Form BCA-5.25 (Rev. Jan. 2003)	AFFIDAVIT OF COMPLIANCE FOR SERVICE ON SECRETARY OF STATE UNDER THE BUSINESS CORPORATION ACT	File # <u>6240-4795</u>
Jesse White Secretary of State Department of Business Services Springfield, IL 62756 217-524-6748 www.cyberdriveillinois.com	This space for use by Secretary of State. FILED JAN 02 2007 JESSE WHITE SECRETARY OF STATE	SUBMIT IN DUPLICATE
Remit payment in check or money order payable to Secretary of State.		Date: Filing Fee: \$10 Approved: <u>Rsh</u>

1. Title and Number of Case:
- Shales, et al. first named plaintiff
Bartlett Sewer & Water, Inc. first named defendant
 Number 07 C 6837
2. Name of corporation being served: Bartlett Sewer & Water, Inc.
3. Title of court in which an action, suit or proceeding has been commenced: US District Court, Illinois
4. Title of instrument being served: Complaint & Summons
5. Basis for service on the Secretary of State: (check and complete appropriate box)
- a. ☒ The corporation's registered agent cannot with reasonable diligence be found at the registered office of record in Illinois.
- b. ☐ The corporation has failed to appoint and maintain a registered agent in Illinois.
- c. ☐ The corporation was dissolved on _____, _____; the conditions of paragraphs (a) or (b) above exist; and the action, suit or proceeding has been instituted against or has affected the corporation within five (5) years thereafter.
- d. ☐ The corporation's authority to transact business in Illinois has been withdrawn/revoked (circle one) on _____, _____.
- e. ☐ The corporation is a foreign corporation that has transacted business in Illinois without procuring authority, contrary to the provisions of the Business Corporation Act of 1983.
6. Address to which the undersigned will cause a copy of the attached process, notice or demand to be sent by certified or registered mail: Sharon Capasso, P.O. Box 8265, Bartlett, IL 60103

7. The undersigned affirms, under penalties of perjury, that the facts stated herein are true, correct and complete.

[Signature] Signature of Affiant
December 20 Month & Day
2007 Year
(312) 372-1361 Telephone Number

Return to (please type or print clearly):

LaKisha M. Kinsey-Sallis
 Name
8 S. Michigan Avenue, 19th Floor
 Street
Chicago, IL 60603
 City/Town State ZIP